

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 CIVIL APPLICATION NO.11788 OF 2023
IN FAST/6778/2021 WITH CA/3316/2021 IN FAST/6687/2021 WITH
CA/3317/2021 IN FAST/6687/2021 WITH CA/3320/2021 IN
FAST/6778/2021 WITH CA/3321/2021 IN FAST/6778/2021 WITH
CA/3318/2021 IN FAST/6783/2021 WITH CA/3319/2021 IN
FAST/6783/2021 WITH CA/11790/2023 IN FAST/6687/2021 WITH CA/
11789/2023 IN FAST/6783/2021

MAHADEO DNYANOBA BHILLARE
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
OSMANABAD AND ORS

...
Advocate for Applicant : Mr. Madhav Jadhav h/f More Abhijit S.
AGP for Respondents-State : Mr. N. T. Bhagat
Advocate for Respondent No.3 : Mr. P. A. Pisal

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 26/09/2023

PER COURT :

DELAY CONDONATION APPLICATIONS :

1. CA/3320/2021, CA/3318/2021, CA/3316/2021 are filed for condonation of delay of 491 days caused in filing the appeal. For the reasons stated in the applications, the applications are allowed. Delay is condoned. Applications are disposed of.

WITHDRAWAL OF AMOUNT APPLICATIONS :

2. CA/11788/2023, CA/11789/2023, CA/11790/2023 are filed for withdrawal of amount. The learned Advocate for the applicants submits that in the identical facts situation in matters arising out of the

same project, this Court by order dated 01/09/2023, in the CA/5262/2023 in FA/1170/2022, along with other connected matters, has permitted the applicants to withdraw total 60 % of compensation amount along with interest accrued thereon till date.

3. In view of the above, the applicants are permitted to withdraw the entire 60% of the compensation amount, deposited in this Court along with interest accrued thereon, on usual undertaking to the satisfaction of the Registrar Judicial of this Court. The applications are disposed of.

STAY APPLICATIONS :

4. CA/3321/2021, CA/3319/2021, CA/3317/2021 are filed for Stay. The Stay has been granted to the Reference Court award subject to deposit of 60 % of total amount of compensation with interest as determined by the Reference Court. The acquiring body has deposited amounts of compensation as directed along with interest accrued thereon in this Court.

5. In view of the same, the Stay order passed by this Court dated 12/03/2021, in all the applications, is confirmed. Applications are disposed of.

6. The appeals are **Admitted**. Respective Advocates waive service of notice in appeals.
7. List the appeals in due course.

(ARUN R. PEDNEKER, J.)

vj gawade/-.